

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

In re:)	C/A NO. 3:23-mc-216-JFA
)	
South Carolina Department of Parks, Recreation and Tourism,)	
)	
<i>Movant.</i>)	
)	
<hr/> In re: C/A No. 1:21-md-03010 (PKC))	
)	
In re Google Digital Advertising Antitrust Litigation)	
)	
<hr/> In re: C/A No. 1:21-cv-06841 (PKC))	MOTION TO QUASH
)	
State of Texas, et al.,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	
)	
Google, LLC,)	
)	
<i>Defendant.</i>)	
<hr/>)	

The South Carolina Department of Parks, Recreation and Tourism (SCPRT), through undersigned counsel and pursuant to Fed. R. Civ. P. 45(d)(3), submits this motion to quash the subpoena dated January 27, 2023, issued by Google, Inc. to SCPRT, a sovereign state entity, in two matters pending in the Southern District of New York captioned *In re Google Digital Advertising Antitrust Litigation*, C/A No. 1:21-md-03010 (PKC), and *Texas v. Google, LLC*, C/A No. 1:21-cv-06841 (PKC). SCPRT respectfully requests that the Court quash Google’s subpoena on the basis of state sovereign immunity and the Eleventh Amendment, as set forth in SCPRT’s accompanying memorandum in support, and grant all just and proper relief.

This special, limited appearance is solely for the purpose of moving to quash Google's subpoena on grounds of state sovereign immunity and the Eleventh Amendment. Neither this motion nor any preceding or subsequent appearance, pleading, document, writing, objection, or conduct should be construed to constitute a waiver of any rights, protections, or immunities, including without limitation sovereign immunity or other matters under the South Carolina Constitution, the United States Constitution, or related law, which are expressly reserved.

Pursuant to Local Rule 7.01, the undersigned affirms that SCPRT's counsel conferred with Google's counsel and attempted in good faith to resolve this matter.

Respectfully submitted,

WILLOUGHBY HUMPHREY & D'ANTONI, P.A.

s/R. Walker Humphrey, II

R. Walker Humphrey, II, Fed. Bar No. 12524
133 River Landing Drive, Suite 200
Charleston, SC 29492
(843) 619-4426
whumphrey@willoughbyhoefer.com

Mitchell Willoughby, Fed. Bar No.
930 Richland Street (29201)
Post Office Box 8416
Columbia, SC 29202-8416
(803) 252-3300
mwilloughby@willoughbyhoefer.com

March 28, 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

In re:) C/A NO.

South Carolina Department of Parks,
Recreation and Tourism)

Movant.)

CERTIFICATE OF SERVICE

In re: C/A No. 1:21-md-03010 (PKC))

In re Google Digital Advertising Antitrust
Litigation)

In re: C/A No. 1:21-cv-06841 (PKC))

State of Texas, et al,)

Plaintiffs,)

v.)

Google, LLC,)

Defendant.)

I, Walker Humphrey, as attorney of record for South Carolina Department of Parks, Recreation and Tourism, hereby certify that on the 28th day of March 2023, I served a copy of the foregoing **MOTION TO QUASH** via electronic notice in accordance with the local rules and first class mail addressed as follows:

Jeanette Bayoumi, Esquire
Freshfields Bruckhaus Deringer US LLP
601 Lexington Avenue, 31st Floor
New York, NY 10022
jeanette.bayoumi@freshfields.com

Jamie A. Aycock, Esquire
Yetter Coleman LLP
811 Main Street, Suite 4100
Houston, TX 77002
jamieaycock@yettercoleman.com

Kay Dannenmaier, Esquire
Yetter Coleman LLP
811 Main Street, Suite 4100
Houston, TX 77002
kdannenmaier@yettercoleman.com

March 28, 2023

s/R. Walker Humphrey, II
R. Walker Humphrey, II
Willoughby Humphrey & D'Antoni, P.A.